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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Jeffrey P. Bennett, an individual,

Plaintiff,

v.

United States of America; Does I through X,  
inclusive; and Roe Corporations I-X,  
inclusive,

Defendants.

Case No. 2:20-cv-01584-GMN-NJK

**Stipulation and Order to Strike  
Plaintiff's Jury Demand**

**IT IS HEREBY STIPULATED** by and between Plaintiff, Jeffrey P. Bennett, by and through his attorney of record, Adam R. Fulton, Esq., Logan G. Willson, Esq. of the law firm of Jennings & Fulton, Ltd., and Defendant, United States of America, by and through Assistant United States Attorney Skyler H. Pearson, that Plaintiff's jury trial demand (ECF No. 9) be stricken and that this case proceed as a bench trial.

Plaintiff filed this action arising under the Federal Tort Claims Act, ("FTCA") 28 U.S.C. §§ 1346(b), 2671–80 (ECF No. 1 at ¶ 2). Thereafter, Plaintiff filed a demand for a jury trial (ECF No. 9). However, Congress has stripped plaintiffs, like Mr. Bennett, of the right to a jury trial by statute. *See* 28 U.S.C. § 2402; *see also Nurse v. United States*, 226 F.3d 996, 1004 (9th Cir. 2000) ("The district court correctly concluded that plaintiff has no right to a jury trial on her claims against the United States.") (citations omitted).

1 Accordingly, the parties stipulate and agree that this case should proceed as a bench  
2 trial to commence on Monday May 8, 2023 at 8:30 A.M.

3 Respectfully submitted this 8th day of December 2022.

4 **JENNINGS & FULTON, LTD.**

JASON M. FRIERSON  
United States Attorney

5  
6 /s/ Logan G. Willson  
LOGAN G. WILLSON, ESQ.  
7 Attorney for Plaintiff

/s/ Skyler H. Pearson  
SKYLER H. PEARSON  
Assistant United States Attorney

8 **IT IS SO ORDERED.**

9 Dated this 8 day of December, 2022

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13 Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT  
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